

POLICIES AND PROCEDURES

STATE ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES

The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain an advisory panel for the *purpose of advising the state special education staff regarding the education of all eligible children with disabilities*. This includes advising the state on the education of eligible children with disabilities who have been convicted as adults and incarcerated in adult prisons, even if a state assigns general supervision responsibility for those children to a public agency other than a State Education Agency. All states are required to meet the federal regulations regarding state advisory panels, however, states may also have laws/regulations which establish panel requirements and responsibilities beyond those outlined in federal regulation (1).

In New Hampshire, this panel is the State Advisory Committee on the Education of Children/Students with Disabilities (SAC). State law, RSA 186-C:3-b, specifies the purpose, membership, terms and duties of the committee. The purpose of the committee is to “advise the Commissioner of Education on issues relating to special education, and to promote communication and cooperation among individuals involved with students with disabilities. In addition, the committee shall review the federal financial participation and the level of state funding to determine their impact on the programs and delivery of services to children/students with disabilities” (2).

Membership

The State Advisory Committee must be appointed by the Governor or other officials authorized under State law to make those appointments. The committee shall consist of the following members:

- (a) Parents of children with disabilities, appointed by the governor
- (b) Two members of the House Education Committee, appointed by the Speaker of the House
- (c) Two members of the Senate Education Committee, appointed by the President of the Senate
- (d) One representative of a vocational, community, or business organization concerned with the provision of transition services to children/students with disabilities, appointed by the Governor
- (e) One state education official, appointed by the Governor
- (f) One local educational official, who shall be an administrator, appointed by the Governor
- (g) One special education teacher and one regular education teacher, appointed by the Governor;
- (h) One representative of the Department of Health and Human Services involved in the financing or delivery of special education or related services to children with disabilities, recommended by the Commissioner of the Department of Health and Human Services, and appointed by the Governor;

- (i) One representative of the Disabilities Rights Center, recommended by the Disabilities Rights Center and appointed by the Governor.
- (j) One representative of the Parent Information Center, recommended by the Information Center and appointed by the Governor.
- (k) Two individuals with disabilities who may have received (who have benefited from) special education services, one of whom may be a high school student, appointed by the Governor
- (l) One administrator of a public special education program, appointed by the Governor.
- (m) One representative of an institution of higher education that prepares special education and related services personnel, appointed by the Governor.
- (n) One representative of a private school approved for special education, appointed by the Governor.
- (o) One representative of a public charter school, appointed by the Governor
- (p) One individual representing children with disabilities who are home schooled.
- (q) One representative from the Department of Corrections and one representative from a county correctional system, both of whom are responsible for providing or overseeing the provision of special education or special education and related services, appointed by the Governor.
- (r) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)
- (s) A representative from the state child welfare agency responsible for foster care.
- (t) Parents of children/students with disabilities, appointed by the Governor. A simple majority of the members of the committee shall be individuals with disabilities or parents of children/students with disabilities.

A simple majority of the members of the committee shall be parents of children/students with disabilities (ages birth through 26) or individuals with disabilities.

Ex-officio members may be appointed to assist and support the work of the State Advisory Committee.

Tenure of Members

Committee members shall be appointed to staggered 2-year terms. Committee members shall have all voting rights and privileges granted by their appointment.

As vacancies occur, the Membership Committee will solicit recommendations for individuals to fill the open position(s), and forward the information to the Governor's office for action, except where appointments of representatives are made by the NH Legislature.

Duties of the State Advisory Committee

The committee is charged by law to:

- (a) advise the department of education regarding unmet needs within the state in the

- education of children/students with disabilities;
- (b) provide an annual report to the Governor and the state legislature on the status of education of students with disabilities in New Hampshire;
- (c) comment publicly on the state plan and rules or regulations proposed for issuance by the state regarding the education of children/students with disabilities;
- (d) assist the state in developing and reporting such information and evaluations as may assist the U.S. Secretary of Education in the performance of responsibilities under the Individuals with Disabilities Education Act;
- (e) advise the Department of Education in developing corrective action plans to address findings identified in federal monitoring reports; and
- (f) advise the Department of Education in developing and implementing policies relating to the coordination of services for children/students with disabilities;

Operating Procedures

The committee operates under Robert's Rules of Order . Meetings are held monthly from September through June, with additional meetings at the call of the chair, as necessary. Meetings will be held in accessible facilities.

A chairperson is selected by a majority of the committee members for a term of one year. The chairperson shall preside at all meetings, plan and organize meetings, prepare agenda, review minutes, assist in preparing required documents, and sign all official documents on behalf of the State Advisory Committee. A vice-chairperson may be appointed by the chairperson, to assist the chair and serve as chair in the absence of the chairperson.

Below are examples of items commonly included on State Advisory Committee agendas:

- welcome and introductions;
- approval of minutes of the previous meeting;
- announcements;
- report from Special Education Director, DOE staff, and/or invited presenters
- committee reports;
- actions items (i.e., comment on proposed regulations);
- report on collaborative activities between SAC and DOE (i.e., forums);
- overview of materials/handouts;
- old/new business;
- future agenda items or speaker(s) for next meeting;
- date for next meeting
- public comment

Committees/subcommittees may be established, as needed, to carry out the work of the State Advisory Committee. Committees may include SAC members, ex-officio members, and other individuals who can contribute to the work of the committee. Each committee will be chaired by a member of SAC. Committees will report on their work, recommendations, and/or conclusions at the next regularly scheduled meeting of the full SAC.

The State Advisory Committee conducts a retreat in September of each year to review the accomplishments of the previous year, highlight unresolved issues from the previous year, discuss and develop priorities for the coming year, and appoint committees to carry out the work of the full committee. A schedule of proposed meeting dates is developed for planning purposes. The retreat is also an opportunity to provide an orientation for new members.

Administrative support is provided to the State Advisory Committee by the NH Department of Education. Minutes of each SAC meeting are prepared and published in accordance with timeliness under state law. The agenda and minutes will be sent to all SAC members one week in advance of the meeting. Minutes and agendas may be sent electronically and/or by mail. Minutes are approved by the chairperson and the SAC prior to publication on the DOE's website. SAC minutes are available to the public. Department of Education staff will assist in organizing Sac meetings, take and prepare minutes for review and distribution, notify members of meeting times and locations, disseminate minutes and other official documents to members, and carry out other duties necessary for the efficient operation of the committee.

Each year, the State Advisory Committee will submit a report outlining the activities and recommendations/conclusions of the committee during the previous year (September through June). The report outlines advice to the state on the priority areas that were addressed by SAC during the year, activities undertaken by SAC, recommendations, areas of need which are viewed as priorities in the education of children with disabilities, membership and attendance.

All State Advisory Committee meetings are open to the public and agenda items must be publicly announced prior to the meeting. Interpreters and other necessary services must be provided at SAC meetings for members or participants.

State Advisory Committee members serve without compensation, but the Department of Education must reimburse the members for reasonable and necessary expenses for attending meetings, such as travel reimbursement.

References

1. State Special Education Advisory Panels Under the Individuals with Disabilities Education Act (IDEA) Public Information Guide, 2003, Mountain Plains Regional Resource Center, 1780 N. Research Parkway, Logan, UT 84341 www.usu.edu/mprc
2. RSA 186-C:3-B Advisory Committee; Purpose: Membership: Terms: Duties: Meetings. Source 1994, 114:1; 1995, 310:149, eff. Nov. 1, 1995; 1998, 201:1, eff. June 18, 1998; 2001, 286:19 eff. Sept. 14, 2001.
3. South Dakota Special Education Advisory Panel Under the Individuals with Disabilities Education Act Part B By-Laws and Operating Procedures, 2003, S.D. Department of Education and Cultural Affairs.